

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



February 8, 1999

ALL COUNTY LETTER NO. 99-08

TO: ALL COUNTY WELFARE DIRECTORS
ALL CalWORKs PROGRAM SPECIALIST

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☒ Initiated by CDSS

SUBJECT: VOUCHER/VENDOR PAYMENTS

REFERENCE: ALL COUNTY LETTER NOS. 98-42 AND 98-48

The purpose of this All County Letter is to provide counties with instructions and the revised Notice of Action (NOA) messages for regulations in the Manual of Policies and Procedures (MPP) Section 44-307, which requires counties to issue voucher or vendor payments in certain situations.

In applying the requirements of MPP Section 44-307, counties must allow the recipients to exercise their right as tenants to withhold all or part of their rent due to untenable conditions, as provided under Civil Code Section 1942 and case law established in Green v. Superior Court (1974) 10 Cal.3d 616. The revised NOA messages for the voucher/vendor payments also instruct recipients to notify the county of their intention to exercise their right to withhold all or part of their rent and/or to inform the county of their new landlord's name and address if they intend to move. Attachment A describes the revisions to the NOAs.

You may obtain English language versions of these messages through the Internet from the CDSS web page at: <http://www.dss.cahwnet.gov>. For translated messages in Russian, Spanish, and Asian (Cambodian, Chinese, and Vietnamese), call Language Translation Services (LTS) at (916) 654-1282 or CALNET 464-1282. If you need several messages, fax your request to (916) 657-3429 or e-mail your request to lsu@dss.ca.gov. Your Forms Coordinator now receives all translations as soon as they become available, if your county is on the LTS mailing list.

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If you have any questions regarding the NOA messages, please contact Charissa Miguelino at (916) 657-3665. Questions pertaining to the regulations should be directed to Joe Einhoff at (916) 654-1867.

Sincerely,
***Original Document Signed By
Bruce Wagstaff on 2/8/99***
BRUCE WAGSTAFF
Deputy Director
Welfare to Work Division

Attachments

c: CWDA
CSAC

ATTACHMENT A

NOA MESSAGES

The following NOA messages are attached:

M44-307A (9/98) OTHER - VOUCHER/VENDOR PAYMENT

M44-307B (9/98) CHANGE - VOUCHER/VENDOR PAYMENT

M82-832C (9/98) PARTIAL APPROVAL - APPLICATION PROCESSING, DRUG FELONS

M82-832D (9/98) CHANGE - AID PAYMENTS, DRUG FELONS

CHANGES TO NOAS

- Modified all NOAs to include: "If you plan to withhold all or part of your rent to make repairs so that your home is fit to live in, you must notify your worker 14 days before your next rental payment."

"If you plan to withhold your rent until your landlord fixes your home so that it is fit to live in, you must notify your worker 14 days before your next rental payment."

"If you plan to move, you must notify your worker of your new landlord=s name and address, and how much your rent is, 14 days prior to your move."

"Your county worker cannot give you legal advice. If you plan to withhold all or part of your rent, you should speak to a legal aid attorney or tenant=s rights advocate. You may call:_____."

- Made minor changes to the language to clarify the messages.

State of California
Department of Social Services

Noa Msg Doc No. : M44-307A Page 1 of 2
Action : Other
Issue: Voucher/Vendor Payment
Title : Voucher/Vendor Payment

Auto ID No. :
Source :
Issued by :
Reg Cite : W&IC 11274, 11453.2, 44-307

Use Form No. : NA 290
Original Date : 07-01-98, New
Revision Date : 01-01-99

MESSAGE:

As of _____, all or part of your cash aid will be in the form of a voucher or vendor payment. This means that the county will use your cash aid to pay your landlord and/or utility company directly. The county may also use your cash aid to pay for other living expenses you need.

Here's why:

[] You asked for a voucher/vendor payment.

[] The law requires that a voucher/vendor payment be made for at least rent and _____ utilities when:

- o A member of your family has been convicted of a felony on or after January 1, 1998 for having, using or selling a controlled substance.

OR

- o A parent or caretaker relative will be sanctioned for at least 3 months in a row.

\$_____ will go to rent, \$_____ will go to utilities, \$_____ will go to other living expenses (such as food, clothing, and transportation), which leaves \$_____ for you.

- If you plan to withhold all or part of your rent to make repairs so that your home is fit to live in, you must notify your worker 14 days before your next rental payment.
- If you plan to withhold your rent until your landlord fixes your home so that it is fit to live in, you must notify your worker 14 days before your next rental payment.

- If you plan to move, you must notify your worker of your new landlord=s name and address, and how much your rent is, 14 days prior to your move.
- **Your county worker cannot give you legal advice.** If you plan to withhold all or part of your rent, you should speak to a legal aid attorney or tenant=s rights advocate.

You may call:_____

INSTRUCTIONS: Use message to inform applicant/recipient of the payment delivery.

This message replaces M44-307A dated 07-01-98.

Auto ID No. :
Source :
Issued by :
Reg Cite : W&IC 11274, 11453.2, 44-307

Use Form No : NA 290
Original Date : 07-01-98, New
Revision Date : 01-01-99

MESSAGE:

As of _____, the County is changing your
voucher/vendor payment amounts.

Here=s why:

Your rent and/or utilities have changed.

\$_____ will go to rent, \$_____ will go to utilities,
\$_____ will go to other living expenses (such as food,
clothing, and transportation), which leaves \$_____ for
you.

- If you plan to withhold all or part of your rent to
make repairs so that your home is fit to live in,
you must notify your worker 14 days before your
next rental payment.
- If you plan to withhold your rent until your
landlord fixes your home so that it is fit to live
in, you must notify your worker 14 days before
your next rental payment.
- If you plan to move, you must notify your
worker of your new landlord=s name and
address and how much your rent is,
14 days prior to your move.
- **Your county worker cannot give you legal
advice.** If you plan to withhold all or part of
your rent, you should speak to a legal aid
attorney or tenant=s rights advocate.

You may call: _____

INSTRUCTIONS: Use to change amounts to the payment delivery when rent and/or utilities
fluctuate.

This message replaces M44-307B dated 07-01-98.

State of California
Department of Social Services

Noa Msg Doc No.: M82-832C Page 1 of 2
Action : Partial Approval
Issue: Application Processing
Title: Drug Felons

Auto ID No. :
Source :
Issued by :
Reg Cite : W&IC 11251.3, 11453.2,
44-307, 82-832.19

Use Form No. : NA 200
Original Date : 01-01-98, New
Revision Date : 01-01-99

MESSAGE:

As of _____, the County has approved cash aid and Medi-Cal for some members of your family. The first day of cash aid is _____. The first month's cash aid is \$_____.

All or part of your cash aid will be in the form of a voucher/vendor payment. This means that the county will use your cash aid to pay your landlord and/or utility company directly. The county may also use your cash aid to pay for other living expenses you need.

Here's why:

_____ has been convicted of a felony on or after January 1, 1998 for having, using or selling a controlled substance.

The law requires a voucher/vendor payment be made when you have been convicted of a drug-related felony for the above reasons.

\$_____ will go to rent, \$_____ will go to utilities, \$_____ will go to other living expenses (such as food, clothing, and transportation), which leaves \$_____ for you.

- If you plan to withhold all or part of your rent to make repairs so that your home is fit to live in, you must notify your worker 14 days before your next rental payment.
- If you plan to withhold your rent until your landlord fixes your home so that it is fit to live in, you must notify your worker 14 days before your next rental payment.
- If you plan to move, you must notify your worker of your new landlord's name and address, and how much your rent is, 14 days prior to your move.

- **Your county worker cannot give you legal advice.** If you plan to withhold all or part of your rent, you should speak to a legal aid attorney or tenant's rights advocate.

You may call: _____

INSTRUCTIONS: Use to approve cash aid and deny any member(s) of the AU who is a convicted drug felon.

This message replaces M82-832C dated 06-01-98

State of California
Department of Social Services

Noa Msg Doc No. : M82-832D Page 1 of 2
Action : Change
Issue: Aid Payments
Title : Drug Felons

Auto ID No. :
Source :
Issued by : Revision Date : 01-01-99
Reg Cite : W&IC 11251.3, 11453.2,
44-307, 82-832.19

Use Form No. : NA 200
Original Date : 01-01-98, New

MESSAGE:

As of _____, the County is changing your cash aid from \$_____ to \$_____. Also, all or part of your cash aid will be in the form of a voucher/vendor payment. This means that the county will use your cash aid to pay your landlord and/or utility company directly. The county may also use your cash aid to pay for other living expenses you need.

Here's why:

_____ and _____ cannot get cash aid because he/she has been convicted of a felony on or after January 1, 1998 for having, using or selling a controlled substance.

The law requires that a voucher/vendor payment be made when you have been convicted of a drug-related felony for the above reasons.

\$_____ will go to rent, \$_____ will go to utilities, \$_____ will go to other living expenses (such as food, clothing, and transportation), which leaves \$_____ for you.

- If you plan to withhold all or part of your rent to make repairs so that your home is fit to live in, you must notify your worker 14 days before your next rental payment.
- If you plan to withhold your rent until your landlord fixes your home so that it is fit to live in, you must notify your worker 14 days before your next rental payment.
- If you plan to move, you must notify your worker of your new landlord's name and address, and how much your rent is, 14 days prior to your move.

- **Your county worker cannot give you legal advice.** If you plan to withhold all or part of your rent, you should speak to a legal aid attorney or tenant's rights advocate.

You may call: _____

INSTRUCTIONS: Use to change the cash aid and change the form of payment to a voucher/vendor payment when a member of the AU is a convicted drug felon.

This message replaces M82-832D dated 06-01-98.